

FISCAL NOTE

HB 106 - SB 1964

February 16, 2005

SUMMARY OF BILL: Prevents a petitioner in an eminent domain proceeding from entering onto the parcel of land without written consent of the owner prior to an execution of final judgment.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – To the extent that this legislation results in delays in road construction projects, there will be increased costs to state and local governments. This effect is estimated to increase state expenditures in excess of \$1,000,000 to the highway fund, and to increase local government expenditures in excess of \$100,000.*

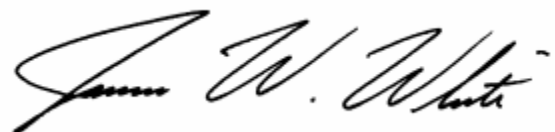
Assumptions:

- Although no impact on state capital projects and real property management, land is taken for highway purposes in an eminent domain proceeding and could cause serious delays in a highway project.
- Increase in costs because of delays in obtaining surveys for eminent domain proceedings.
- Without surveys, difficult to determine an estimate of value of the land for an offering price.

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director